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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,338	12/30/2001	Tatsuji Ushino		5879

7590

10/02/2003

Jay H Maioli
Cooper & Dunham
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

NELSON, ALECIA DIANE

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 10/02/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,338

Applicant(s)

USHINO ET AL.

Examiner

Alecia D. Nelson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 06/16/03, has been considered by the examiner.

Drawings

2. The drawings are objected to because: In figure 6, the flow diagram does not correlate with that which is disclosed in the specification. Specifically the specification passes control to step SP11 after step SP7, however the flow diagram show control being passed to step SP2 after step SP7. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "111", "121", and "112" have both been used to designate an icon. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. Figure 9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction

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or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. ***Claims 1-4*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admittance of conventional art and Tilt (U.S. Patent No. 5,363,481).

With reference to **claim 1**, the applicant discloses with reference to Figure 9, a portable telephone which displays a list of call names as main information on a display

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and displays an indicator for selecting one of the plurality of pieces of displayed main information; and a display control means for retrieving the detailed information related with the main information selected, and displaying the detailed information on a partial area of the display means (see specification pgs. 1-2).

The applicant fails to specifically disclose the usage of a storage means for storing the plurality of pieces of main information and a plurality of pieces of detailed information respectively corresponding to a plurality of pieces of main information. However it is disclosed that that portable device is capable of displaying information based on the selection made by the user, and would thereby be inherent to one skilled in the art that it is necessary for some type of memory device to present to carry out the functions as described with relation to the conventional art. The applicant also fails to specifically disclose selecting means for switching the piece of main information selected by the display indicator in accordance with selection operations inputted via operation means. However such selection means is well known in the art, moreover, the figures show the usage of a indicator which is used to select one of the listed information. The applicant further fails to teach that the detailed information is displayed on a partial area of the display means when the selection operations are not performed for a predetermined period of time while the plurality of pieces of main information are listed and displayed on the display means.

Tilt teaches an auto selecting scrolling device wherein a user interface is used for viewing and making selection of a parameter from a menu. When the device, used to scroll through a menu, is activated a menu appears. A timer with a preset time limit is

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started. As long as the scrolling device is being used to scroll through the parameters in the menu, the timer is reset. While the scrolling is taking place the parameters are highlighted and magnified. If the menu is no longer being scrolled through, the timer expires upon attaining the set limit. When the timer expires, the last highlighted parameter is selected.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow the device as disclosed by the applicant's admittance of prior art to include a timer for selecting the last highlighted parameter before the set time expires as disclosed by Tilt, in order to provide an auto selecting scrolling device which speeds the time the user spends scrolling and selecting the information being listed.

With reference to **claim 2**, neither the disclosure provided by the applicant with reference to the conventional art nor Tilt discloses that the control means scrolls the display of the detailed information when all of the detailed information cannot be displayed simultaneously on the partial area. However, having a control means for scrolling in such situation is well known to those skilled in the art.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow for the control means to scroll when the displayed area does not provide enough display area to display all of the retrieved information as well known in the art, in order to provide the user to have accessibility to more information without having to increase the size of the display area or the display device itself.

With reference to **claim 3**, neither the disclosure provided by the applicant with reference to the conventional art nor Tilt discloses that the control means displays the partial area in a color different from the color of a portion of the display means not containing the partial area. However, color displays on portable devices are well known in the art. Moreover the display capabilities of the portable device would permit such coloration by similar techniques used in full sized display devices.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to include a color display, which allows different coloration at different portions of the display to thereby provide the user with more distinction between the different display portions, and providing the user with a more distinctive display.

With reference to **claim 4**, neither the disclosure provided by the applicant with reference to the conventional art nor Tilt discloses that the control means blinks and displays the detailed information. However, a blink to refresh the display, rewrite the display or change the orientation of the displayed information is well known in the art.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention that the display would blink when retrieving information from storage, when the scrolling, or orientating the display to have different portions caused by rewriting the display.

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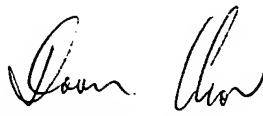
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alecia D. Nelson whose telephone number is (703)305-0143. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras can be reached on (703)305-9720. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9314 for regular communications and (703)308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

adn/ADN
September 24, 2003


DENNIS-DOON CHOW
PRIMARY EXAMINER